

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JUSTIN LAYSHOCK, a minor, by and )  
through his parents, DONALD )  
LAYSHOCK and CHERYL LAYSHOCK, )  
individually and on behalf of their son, )  
Plaintiffs, )

v. )

HERMITAGE SCHOOL DISTRICT, )  
KAREN IONTA, District Superintendent, )  
ERIC W. TROSCH, principal Hickory )  
High School, CHRIS GILL, Co-Principal )  
Hickory High School, all in their official )  
and individual capacities, )  
Defendants. )

2:06-cv-116

ORDER OF COURT

AND NOW, this 23<sup>rd</sup> day of May, 2007, upon consideration of the parties' cross-motions for summary judgment, the record evidence and pleadings, it appears that the individual Defendants have pled an affirmative defense of qualified immunity, however, neither party has briefed that issue. Unless individual Defendants intend to waive that defense at this stage of the proceeding (with notice to the Court within five (5) days), individual Defendants and Plaintiff shall file a brief on the issue of qualified immunity on or before **June 13, 2007**. Each party may reply to the other's brief on or before **June 20, 2007**.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Court Judge

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